



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 00984-00
25 April 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: EX-LTJG [REDACTED], NC, USNR, [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 15 Nov 99 w/attachments
(2) PERS-86 memo dtd 20 Mar 00 w/enclosure
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that she was promoted to lieutenant junior grade, pay grade O-2, in the Nurse Corps of the Naval Reserve with a date of rank of 6 March 1998, so that her Army Reserve record can be corrected accordingly to show she entered the Army Reserve as a first lieutenant, pay grade O-2.

2. The Board, consisting of Messrs. Ensley, Milner and Neuschafer, reviewed Petitioner's allegations of error and injustice on 13 April 2000, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner was discharged from the Naval Reserve on 10 June 1998 and entered the Air Force Reserve by way of an inter-service transfer. She contends that when she was in the Nurse Corps of the Naval Reserve, she had a 6 March 1996 date of rank as an ensign, pay grade O-1, and therefore should have been promoted to lieutenant junior grade on 6 March 1998; but because her naval record did not adequately reflect that promotion, she entered the Army Reserve as a second lieutenant, pay grade O-1, rather than a first lieutenant.

c. In correspondence attached as enclosure (2), the Navy Personnel Command office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action. They noted that her promotional history card, enclosed with their opinion, shows she was, in fact, promoted to lieutenant junior grade with a date of rank of 6 March 1998.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

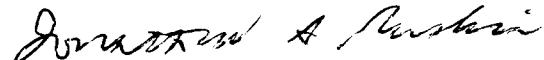
a. That Petitioner's naval record be corrected to show she was promoted to lieutenant junior grade in the Nurse Corps of the Naval Reserve with a date of rank and effective date of 6 March 1998.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

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PERS-86
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MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF
LIEUTENANT JUNIOR GRADE [REDACTED]
[REDACTED]

Encl: (1) BCNR File 00984 w/Service record
(2) Promotional History Card [REDACTED]
[REDACTED]

1. We are returning enclosures (1) and (2) with the following
observations and recommendation that Lieutenant Junior Grade
[REDACTED] petition is granted.

2. Lieutenant Junior Grade [REDACTED] promotional history card is
included as an enclosure and correctly has her date of rank to
Lieutenant Junior Grade as 06 March 1998. Additionally, DoD
Instruction 1300.4 Inter-Service Transfer of Commissioned
Officers, states in paragraph 3.3.5; "If a commissioned officer
transferred between two Military Services is on a promotion list
to the next higher grade under section 624 of Title 10 U.S.C.,
the Secretary of the Military Department concerned may integrate
the officer into the promotion list of the gaining military
service based on the officers date of rank in his or her current
grade in the losing military service." It is our opinion that
when LTJG [REDACTED] was gained into the Air Force she was accessed as
a 01 rather than a 02 with a date of rank 06 March 1998.

3. It is our opinion that the inter-service transfer agreements
outlined by DoD instructions clearly favor LTJG [REDACTED] request

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF
LIEUTENANT JUNIOR GRADE [REDACTED] JSNR,
[REDACTED]

for a corrected date of rank to Lieutenant Junior Grade of
06 March 1998, and we further recommend that the Air Force comply
with her request.

[REDACTED]
[REDACTED]
[REDACTED]
Director, Reserve Officer
Promotions, Appointments, and
Enlisted Advancement Division

OFFICER PRECEDENCE RECORD NAVPERS 1420/3 (Rev. 2-77) (FRONT)

REMARKS

SELECTION BOARD DATA

RESIGNED 980610, SECNAV LTR, (NRPC(CODE 25), DATED 981105

ORIGINAL PRECEDENCE DATE ()

RANK	PERM. TEMP. SPOT DESIG AD INT	DATE OF RANK	EFFECTIVE DATE	DATE OF A & O ACK. REC.	AUTHORITY
ENS	P	05 06 98			
LTJG E		MAR 06 1998	MAR 06 1998		SECNAVINST 14214.D

ACDU	RAD	FOR PURPOSE OF SEPARATION OR CONTINUATION - TOTAL COMMISSIONED SERVICE DEEMED TO BE FROM 8-30	SELECTION BOARD DATA
		508316	97
			CLASS STD'G
			PERCENTILE

BIRTH DATE	ORIG. A & O DATE	CURR. SOURCE CODE	ORIG. SOURCE CODE
01 01 84	05 27 97		

NAME	DESIGN.	ACAD/YR	SSN
00-1186			

U.S. GOVERNMENT PRINTING OFFICE: 1986-411-073 601395